

# Court of Appeals, State of Michigan

## ORDER

People of MI v Mark Webster

Docket No. 286061

LC No. 08-002440-01

Kirsten Frank Kelly  
Presiding Judge

Kurtis T. Wilder

Christopher M. Murray  
Judges

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The Court orders that the motion for immediate consideration is GRANTED.

The motion to waive the stay requirements of MCR 7.209 is GRANTED.

In lieu of granting the application for leave to appeal, the Court orders, pursuant to MCR 7.205(D)(2), that the June 20, 2008, order of the Wayne Circuit Court striking defendant's insanity defense hereby is VACATED. The circuit court is directed to hold an evidentiary hearing pursuant to MCL 768.20a, prior to trial, regarding defendant's cooperation with the examination process. MCL 768.20a(4); *People v Hayes*, 421 Mich 271; 364 NW2d 635 (1984). The case is REMANDED to the circuit court for further proceedings consistent with this order.

The motion for stay is DENIED AS MOOT.

This order is to have immediate effect, MCR 7.215(F)(2).

The Court retains no further jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

**JUN 23 2008**

Date

*Sandra Schultz Mengel*  
Chief Clerk